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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/611,220	07/06/00	AROUH	S DIA 0002P

EXAMINER	
ALLEN, M	
ART UNIT	**PAPER NUMBER**
1631	2

HM22/1001

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DATE MAILED: 10/01/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No.	Applicant(s)	
	09/611,220	AROUH ET AL.	
	Examiner	Art Unit	
	Marianne Allen	1631	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) 1-26 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☒ Claim(s) 1-26 are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Election/Restrictions

Restriction to one of the following inventions is required under 35 U.S.C. 121:

I. Claims 1-6, drawn to a computerized method of identifying a statistically significant group of datums, classified in at least class 702, subclass 19 and class 706, subclass 15.

II. Claims 7-8, drawn to a method of identifying clinically relevant alleles, classified in at least class 702, subclass 21 and class 706, subclass 15.

III. Claims 9 and 14-15, drawn to a method for predicting an adverse reaction, classified in at least class 702, subclass 19 and class 706, subclass 15.

IV. Claims 10 and 14-15, drawn to a method for predicting optimal drug dosage, classified in at least class 702, subclass 19 and class 706, subclass 15.

V. Claims 11 and 14-15, drawn to methods of identifying suitable therapy, classified in at least class 702, subclass 19 and class 706, subclass 15.

VI. Claims 12 and 14-15, drawn to methods of identifying and predicting susceptibility to disease, classified in at least class 702, subclass 19 and class 706, subclass 15.

VII. Claims 13 and 14-15, drawn to methods of predicting at least one clinical result, classified at least class 702, subclass 19 and class 706, subclass 15.

VIII. Claims 16-18, drawn to methods of training a neural net, classified in at least class 702, subclass 19 and class 706, subclass 15.

IX. Claims 19-20, drawn to methods of reducing computational cost and complexity, classified in at least class 702, subclass 19 and class 706, subclass 15.

X. Claim 21, drawn to a method of predicting drug interactions, classified at least class 702, subclass 19 and class 706, subclass 15.

XI. Claims 22-26, drawn to methods of identifying a set of universal functional categories of genomic information, classified at least class 702, subclass 19 and class 706, subclass 15.

Applicant is advised that should any of Groups III-VII be elected, claims 14-15 will be examined only to the degree that they reflect the elected method.

The inventions are distinct, each from the other because of the following reasons:

Each of the methods can be shown to be distinct, each from the other, because each method has different method steps and goals. References applicable to one method would not necessarily anticipate nor render obvious any other method. Because these inventions are distinct for the reasons given above and the literature search required for each of Groups I-XI are not coextensive, restriction for examination purposes as indicated is proper.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the

currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marianne P. Allen whose telephone number is 703-308-0666. The examiner can normally be reached on Monday-Friday, 9:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Woodward can be reached on 703-308-4028. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-3014 for regular communications and 703-305-3014 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0196.

Marianne P. Allen
Primary Examiner
Art Unit 1631

mpa
September 10, 2001